

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FREE SPEECH COALITION, INC. et al., ) Civil Action No. 2:09-4607  
Plaintiffs, )  
v. ) Judge Michael M. Baylson  
THE HONORABLE ERIC H. HOLDER, JR., )  
Attorney General, ) PLAINTIFFS BETTY DODSON'S AND  
Defendant. ) CARLIN ROSS'S ANSWERS AND  
 ) RESPONSES TO DEFENDANT'S FIRST  
 ) SET OF INTERROGATORIES AND  
 ) REQUESTS FOR PRODUCTION

## I. INTERROGATORIES

Pursuant to Fed. R. Civ. P. 33, each plaintiff is hereby requested to answer, separately from other plaintiffs (or to the extent all plaintiffs' answers to any Interrogatory are identical, separately signed and sworn), each of the following interrogatories separately and fully in writing under oath, and to provide responses by electronic mail to defendant's undersigned counsel by the applicable deadline. If any interrogatory cannot be answered fully, it should be answered to the extent possible, with the reasons explained for not answering more fully. In responding to these interrogatories, type out each question before your answer.

INTERROGATORY NO. 1: Identify by full name, all aliases, address, telephone number, e-mail address, and website URL each person who provided information used or relied on in responding to these Interrogatories.

ANSWER: Betty Dodson and Carlin Ross  
121 Madison Ave 12B  
NY, NY 10016  
212-679-5667  
[www.dodsonandross.com](http://www.dodsonandross.com)  
[www.bettydodson.com](http://www.bettydodson.com)  
with the assistance of counsel

INTERROGATORY NO. 8: If you (and/or, for an organizational plaintiff, your members) restrict those persons that appear in visual depictions that you or your members produce of actual or simulated sexually-explicit conduct subject to the requirements of 18 U.S.C. §§ 2257 or 2257A based on age, identify all procedures that you and/or your members have employed or currently employ to ascertain or verify the ages of those persons.

ANSWER: We request a copy of a passport or driver's license (photo ID) to ascertain age for all our films. With respect to the genital art gallery, Betty never asked for photo id because images of genitals weren't subject to the requirements of 2257 until recently. Now, we ask for photo id for all submissions. You can tell from looking at the images that the individuals are of majority. Plus Betty asks each person submitting images to write an essay about their sexual history which includes their age.

INTERROGATORY NO. 9: If you (and/or, for an organizational plaintiff, your members) have produced visual depictions of actual or simulated sexually-explicit conduct subject to the requirements of 18 U.S.C. §§ 2257 or 2257A that portray persons in any of the following age groups engaged in actual or simulated sexually-explicit conduct, identify for each such age group whether the total number of such depictions (where each film, videotape, photograph, or digital image constitutes a single depiction but not including multiple copies, duplicates, scenes within a single film or video, or edited or reformatted versions of the same depiction) is (a) greater than zero, (b) greater than five, (c) greater than ten, (d) greater than twenty, (e) greater than fifty, (f) greater than one hundred, or (g) greater than one thousand.

- i. 18-25
- ii. 26-35
- iii. 36-45
- iv. 46-55
- v. 56-65
- vi. over 65

ANSWER: We are unable to provide the data for the many images produced throughout the years. All our expression depicts people over the age of 18 and the great majority of them are clearly mature adults. For instance, the age range of the persons appearing in the DVDs listed in response to Interrogatory No. 5 is as follows:

Selfloving: 28 - 60  
Celebrating Orgasm: 26 - 62  
Viva La Vulva: 25 - 68  
Orgasmic Women: 20 - 52  
The Orgasm Dr.: 25 - 40

Images on the Genital Art Gallery were submitted by people ranging from 20 years of age to 83 years of age.

INTERROGATORY NO. 10: With respect to each statutory and/or regulatory requirement of 18 U.S.C. §§ 2257 or 2257A or their implementing regulations (identified by specific subsection, or by section if the section contains no subsections) that you contend either is not narrowly tailored as applied to you (and/or, for an organizational plaintiff, your members) or is overbroad, state, per such requirement, each and every fact upon which you rely to support your contention.

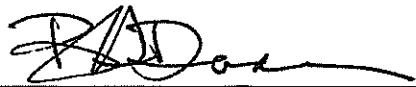
ANSWER: The recordkeeping and labeling requirements and penalty provision of 18 U.S.C. § 2257 (a)-(f); (i); the recordkeeping and labeling requirements and penalty provision of 18 U.S.C. § 2257A (a)-(f); (i) and 28 C.F.R. §§ 75.2, 75.3, 75.4, 75.5, 75.6, 75.8 implementing the statutory recordkeeping, labeling, and inspection requirements are not narrowly tailored, are overbroad, and impose unconstitutional burdens on my expression.

We host a website that addresses issues of sexuality and genitalia. Among other things, the website includes a “genital art gallery,” the purpose of which is to help adult men and women work through shame related to the look of their genitalia, by providing a forum for individuals to post images of and essays about their genitalia and to do so anonymously. It is also an important means for Dodson to collect data for her research studying the variations in male and female genitalia. The Genital Art Gallery allowed adults to submit photos of their genitalia, anonymously. When the law was changed to apply to depictions of genitals, we were forced to eliminate roughly 2,000 images of genitalia submitted by adults to the gallery for because we could not secure the necessary photo identification to allow the publication of this expression. Moreover, once we began requiring people to submit photo identification in order to submit their photos to our gallery, submissions dropped off substantially.

**DECLARATION**

I, Betty Dodson, declare under penalty of perjury that I have read the answers to Defendant Holder's First Set of Interrogatories and that the answers are true as I verily believe.

10/12/12  
DATE

  
\_\_\_\_\_  
Betty Dodson

**DECLARATION**

I, Carlin Ross, declare under penalty of perjury that I have read the answers to Defendant Holder's First Set of Interrogatories and that the answers are true as I verily believe.

10/12/12  
DATE

Carlin Ross  
Carlin Ross